



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE:

APPLICANT(S): JACK V. SMITH

GROUP ART UNIT: 1648

S.N.: 09/283,318

EXAMINER: FOLEY, S.

FILING DATE: 3/31/99

DATE OF THIS RESPONSE: 12/04/02

FOR: METHOD FOR MANUFACTURING AND DETECTING AND
NORMALIZING HIV FOR RAPID ANALYSIS

RECEIVED

DEC 10 2002

TECH CENTER 1600/2900

Election Restriction

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Madam:

In response to the Office Action Dated 06/04/02 the applicant request restriction to Group II of claims 23-39, drawn to a method of detecting the presence of HIV antibodies classified in 435, subclass 5.

Remarks

In Response to paragraph 2, page 2 of the Office Action dated 06/04/02 the applicant suggest that instead of cancellation that the claims be restricted (e.g. excluding certain elements (Western Blot/Thin Layer) by using closed claim language, such as – consisting essentially of --, could be used? If the examiner agrees, then the applicant wishes to restrict such claims as suggested by the Examiner.

In addition, Claims 5 and 8 were deleted in a communication to Examiner dated 10/10/02. In the case the Examiner has not received that communication, please delete claims 5 and 8.

Respectfully Submitted,

Jack V. Smith

Applicant Pro Se

P.O. BOX 156

Arden, NC 28704

Phone: 828-650-0410 or 828-275-0343 or 800-905-4272

Fax: 828-650-0359

Certificate of mailing: I certify that on the date below this document and referred attachments, if any, will be deposited with the US Postal service as first class mail in and envelope addressed to: "Box Non-Fee Amendments" Assistant Commissioner for Patents, Washington, D.C. 20231

Date: 12/04/02

signed


Jack V. Smith

HIV Response 09283318 120202